

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                            |   |                        |
|----------------------------|---|------------------------|
| In re Application of       | ) |                        |
|                            | ) |                        |
| Kraus et al.               | ) |                        |
|                            | ) | Goup Art Unit: 1642    |
| Serial No. 10/693,030      | ) |                        |
|                            | ) | Examiner: Ungar, Susan |
| Filed: October 24, 2003    | ) |                        |
|                            | ) | Confirmation No. 2346  |
| For: METHODS FOR DIAGNOSIS | ) |                        |
| OF CANCER USING erbB-3     | ) |                        |

**APPLICANTS' INTERVIEW SUMMARY**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Ballard Spahr Andrews & Ingersoll, LLP  
Customer No. 36339

Sir:

This Interview Summary filed under 37 C.F.R. § 1.333 is a summary of the September 3, 2008 oral interview held with Examiner Goddard.

**Remarks** begin on page 2 of this paper.

**REMARKS**

Applicants thank the Examiner for taking time to discuss the present office action and providing helpful comments in the telephonic interview of September 3, 2008. During the interview Applicants discussed with the Examiner, Applicants' priority claim and whether Applicants' proposed Amendment and Response to the outstanding office action would be considered non-responsive to the Final Office Action issued June 11, 2008. Applicants also discussed with the Examiner whether the proposed amendments to the claims would constitute a new restriction requirement. The Examiner was very helpful in her suggestions regarding claim amendments that would prevent a further restriction.

No fees are believed to be due; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

/Janell T. Cleveland/

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**CERTIFICATE OF EFS-WEB TRANSMISSION UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence, including any items indicated as attached or included, is being transmitted by EFS-WEB on the date indicated below.

/Janell T. Cleveland/

October 14, 2008

\_\_\_\_\_  
Janell T. Cleveland

\_\_\_\_\_  
Date